49

	Application No.	Applicant(s)
	09/701,195	AGGARWAL, LALIT K.
Notice of Allowability	Examiner	Art Unit
	Roy M. Punnoose	2877
The MAILING DATE of this communication appear All claims being allowable, PROSECUTION ON THE MERITS IS (herewith (or previously mailed), a Notice of Allowance (PTOL-85) NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGOT THE Office or upon petition by the applicant. See 37 CFR 1.313	OR REMAINS) CLOSED in this or other appropriate communication. This application is subjection is subjection.	s application. If not included ation will be mailed in due course. THIS
1. \boxtimes This communication is responsive to <u>amendments received</u>	<u>l on Aug. 09, 2004</u> .	
2. The allowed claim(s) is/are 42-53.		
3. The drawings filed on 27 November 2000 are accepted by t	he Examiner.	•
4. ☐ Acknowledgment is made of a claim for foreign priority und a) ☐ All b) ☐ Some* c) ☐ None of the: 1. ☐ Certified copies of the priority documents have 2. ☐ Certified copies of the priority documents have 3. ☐ Copies of the certified copies of the priority documents have International Bureau (PCT Rule 17.2(a)). * Certified copies not received:	been received. been received in Application Note the application to file a received in Section 1. of this communication to file a received in Section 1. Itted. Note the attached EXAMIN is reason(s) why the oath or deceived be submitted. on's Patent Drawing Review (For Amendment / Comment or in the section 1. Section 1.	this national stage application from the eply complying with the requirements NER'S AMENDMENT or NOTICE OF claration is deficient. PTO-948) attached the Office action of equipments around the front (not the back) of 121(d). AL must be submitted. Note the
 Attachment(s) 1. ☐ Notice of References Cited (PTO-892) 2. ☐ Notice of Draftperson's Patent Drawing Review (PTO-948) 3. ☑ Information Disclosure Statements (PTO-1449 or PTO/SB/08 Paper No./Mail Date 8/9/04 4. ☐ Examiner's Comment Regarding Requirement for Deposit of Biological Material 	6. ☐ Interview Sumn Paper No./Mai 3), 7. ☐ Examiner's Am	I Date

Application/Control Number: 09/701,195

Art Unit: 2877

DETAILED ACTION

Page 2

Response to Amendment

1. Receipt of applicant's amendments received on August 09, 2004 in response to the office action mailed on July 28, 2004 is acknowledged and have been entered into the records.

Claims 54-80 have been cancelled. The applicant has previously canceled claims 1-42.

Allowable Subject Matter

- 2. Claims 42-53 are allowable.
- 3. Claim 42 is allowable because the prior art of record, taken alone or in combination, fails to disclose or render obvious a system for generating, maintaining and retrieving characterizing information about gemstones comprising an electronic camera to generate electronic signals corresponding to at least two different physical characteristics of the gemstone, in combination with the rest of the limitations of said claim.
- 4. Claims 43-53 are allowable because they are dependent on independent claim 42 or an intermediate claim.
- 5. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Information Disclosure Statement

6. The information disclosure statement filed August 09, 2004 fails to comply with 37 CFR 1.98(a)(2), which requires a legible copy of each U.S. and foreign patent; each publication or that portion which caused it to be listed; and all other information or that portion which caused it to

Art Unit: 2877

be listed. It has been placed in the application file, but the information listed under "Foreign Patent Documents" and "Other Documents" of the submitted PTO-1449 has not been considered because they were missing and were not available to the Examiner for consideration.

7. In the remarks section of the letter received on August 09, 2004 the applicant states that "This application properly claims the benefit of the filing date of the earlier filed patent application identified in the previously submitted Information Disclosure Statement and an information disclosure statement complying with 37 CFR 1.98(a)-(c) was submitted in the earlier filed application. Therefore, the Applicant was not required to submit copies of the documents listed on the P1-0-1449 pursuant to 37 CFR 1.98(d)."

In the Declaration and the Specification of the instant application, the applicant has claimed priority only to the Provisional U.S. application 60/068,033 and has not claimed the benefit of the filing date with any other application. Therefore it is not clear what earlier filed patent application (and related I.D.S) the applicant is referring to

With regard to applicant's submission of copies of foreign patents on August 09, 2004, the Examiner, with regret, wish to inform the applicant that the above documents either did not arrive at the Patent Office, or it went missing after arrival at the Office. All incoming documents are scanned into an image database, and Examiners have access only to the images. On behalf of the Patent Office, the Examiner wish to convey our sincere apologies to the applicant for any inconvenience or loss this may have caused, if the documents went missing after it reached the Office. If the applicant sent the documents by FAX, it is possible that the transmission did not go through (for any number of reasons) and did not print at the Office.

The Examiner will make every effort to locate the missing documents, but for the sake of expediency, if the applicant would like to forward a new set of copies of said documents, the application process can be completed without further delay.

Art Unit: 2877

Again, on behalf of the Patent Office, the Examiner wish to convey our sincere apologies to the applicant for any inconvenience or loss this may have caused, if the documents went missing after it reached the Office.

Conclusion

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Roy M. Punnoose** whose telephone number is **571-272-2427**. The examiner can normally be reached on 9:00 AM - 5:30 PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Gregory J. Toatley, Jr.** can be reached on **571-272-2800 ext.77**. The fax phone number for the organization where this application or proceeding is assigned is **703-872-9306**.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Roy M. Punnoose Patent Examiner Art Unit 2877

September 16, 2004

Gregory J. Toutley, Jr.

Supervisory Patent Examiner AU2877